

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION**

UNITED STATES OF AMERICA	§	
<i>ex rel.</i> SHAWN CLARK AND	§	
JUAN A. DELGADO,	§	
	§	
Plaintiff,	§	CIVIL ACTION NO. 5:10-CV-129-C
v.	§	
	§	
AMERICAN COMMERCIAL	§	
COLLEGES, INC.,	§	
	§	
Defendant.	§	

JOINT STIPULATION OF DISMISSAL

Pursuant to Fed. R. Civ. P. 41(a)(1), the United States of America (the United States), having intervened in part of this *qui tam* action brought pursuant to the False Claims Act, 31 U.S.C. §§ 3729-33, Defendant American Commercial Colleges, Inc. (“ACC”), and Relators Shawn Clark and Juan A. Delgado (“Relators”) hereby notify the Court of the dismissal of this action as set forth below.

In accordance with, and subject to the terms of, a settlement agreement reached between the United States, ACC, and Relators (“the Settlement Agreement”), the United States is voluntarily dismissing, with prejudice, all claims asserted in the United States’ Complaint in Intervention. Relators consent to the dismissal with prejudice of those claims.

In addition, Relators are voluntarily dismissing, with prejudice to themselves but without prejudice to the United States, the remaining claims asserted by Relators in this action on behalf of the United States, in which claims the United States has declined to intervene. Pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(1), the United States hereby consents

to Relators' dismissal of that portion of the action, provided such dismissal is without prejudice to the United States.

A proposed order accompanies this Joint Stipulation of Dismissal.

Respectfully submitted,

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**Attorney for Relators Shawn Clark and
Juan A. Delgado**

CERTIFICATE OF SERVICE

I hereby certify that on May 31, 2013, I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Northern District of Texas, using the Electronic Case Files system of the Court. I hereby certify that I have served all counsel and/or pro se parties of record electronically or by another manner authorized by Federal Rule of Procedure 5(b)(2).

/s/ J. Scott Hogan

Assistant United States Attorney